

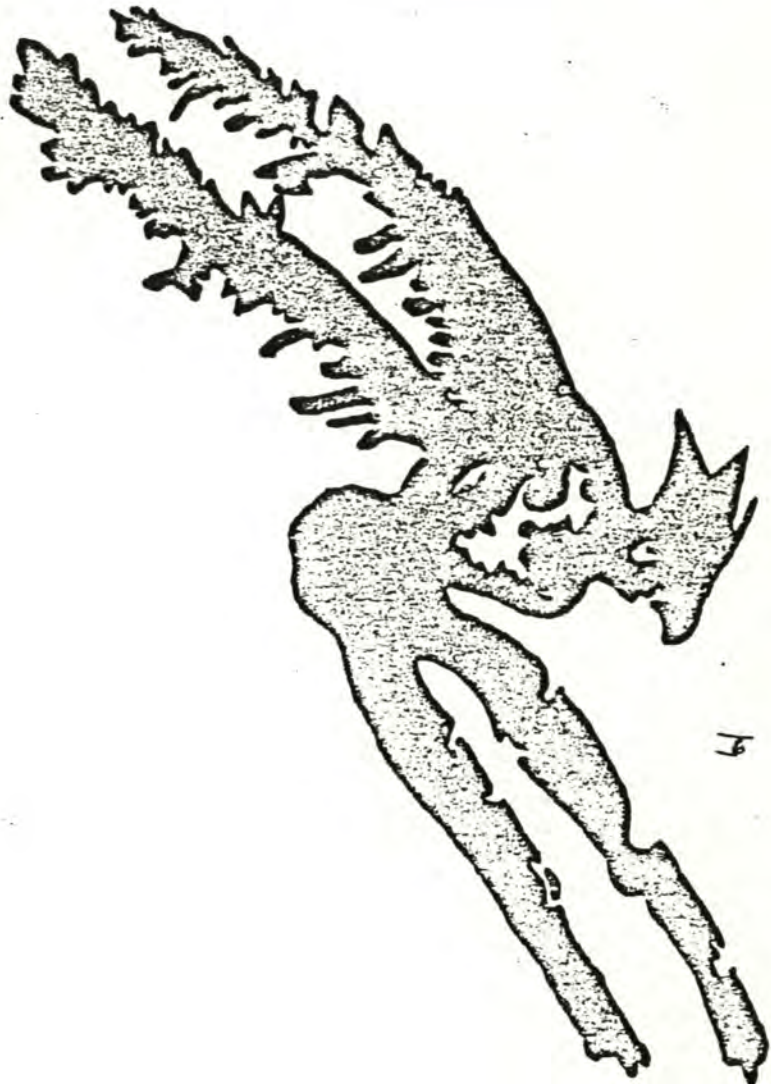
AP6

comb

Item 2.3.6

ISSUE 19/20

OCTOBER 1982



**SOCIAL
REVIEW**

40c

Printed 2/1/82

Contents

Namibian Independence ?	page	2
The Presidents Council and the Koornhof Bills.	page	10
The Trade Union Unity Question	page	22
The Port Elizabeth Motor Strikes	page	32

Editorial

This issue of Social Review is somewhat longer than usual and somewhat late. We apologise for the latter. In view of the former we have decided to regard this as a double issue, No. 19 and 20, and to charge a little more for it. We think it was worth waiting for.

We are pleased to announce that the ban for possession of Issue 17 of Social Review has been lifted after an appeal. It is still illegal to distribute it. The people who were not aware That Issue 17 was banned for possession in the first place, may now keep their copies legally.

Finances

Unless our financial situation improves this may be the last issue of Social Review. The Social Research Agency is already in debt.

There are two important ways to remedy this. Firstly those individuals and groups who sell Social Review must make a more serious attempt to collect money for their sales and send it back to us. This is very important.

Secondly, we would like to encourage people sympathetic to our project to take out Supporter Subscriptions at R30,00 for eight issues. A Supporter Subscription also entitles the subscriber to our other publications, such as the history of the Federation of South African Women which was published earlier this year.

Namibian Independence?

Once again the newspapers are full of talk of a settlement in Namibia. Diplomats of the big western countries are busy with intense negotiations and many people are saying that there may at last be a proper election in Namibia. Even the SA government, which has for so long refused to even consider allowing Namibia to become independent, is saying it wants to see an independent Namibia as soon as possible.

Many people are asking what it all means. Why are the western powers so interested in a barren piece of land inhabited by just over one million people? Has the SA government really suddenly changed its mind about independence? What will independence in Namibia mean for us in South Africa? To answer these questions, we have to understand the forces which shaped present day Namibia.

As in all colonies, the history of Namibia from the earliest times has been marked by violence. Before the coming of colonialism many different groups of people lived in Namibia. Some were able to live by cultivating crops, others, particularly in the dry south, lived by raising stock.

In the late nineteenth century, other people began to move into the area. Traders and missionaries came, some were Germans and others came from the Cape Colony in the South. The Oorlans, a group of 'coloureds' from the Cape, arrived and upset the balance of power in the central regions. They were well armed and were able to establish a strong state in the regions with their capital in Windhoek.

German Conquest

But Germany wanted to make the whole of Namibia its colony. In 1884, all the imperialist countries held a conference in Berlin to discuss which country would be allowed to take the various colonies. At this conference, it was decided to give Namibia to Germany. But to say that Germany could have Namibia did not mean it could actually control it. In fact it took many years before Germany was able to defeat all the people of Namibia and establish colonial rule.

Many wars were fought to resist German rule. In 1904, there was a huge uprising in which the Namas and the Hereros the two largest groups in the south, joined together to

3

fight against the German colonists. The German colonists met this challenge with extreme brutality. The commander of the German troops, von Trotha, issued an extermination order. It said all Hereros that stayed in the country would be killed. After a big battle at the Waterberg, when the Hereros were defeated, they were driven into the desert to die. After the war, only 20 000 of the original 80 000 were left alive. Further south, the Namas changed their tactics after the defeat of their allies. For many years, they waged a very effective guerilla war against the Germans. But in the end the Germans managed to defeat them by breaking their unity. The Germans managed to divide the various Nama groups by concluding separate peace treaties with those who were weakest and most unsure about the war, leaving the stronger groups alone.

The Colonial Economy

The way was now open for German settlers to take the land and start farming on it. But they now faced another problem: they needed farm labourers, but the wars had been so brutal that the country was almost empty of people. The German government could only deal with this problem by making a law to force all black people to become labourers, at whatever wage the farmers and mine owners were prepared to pay. Nobody was allowed to own stock or land.

Still there were not enough people to become labourers, and there was so much starvation after the wars that many people could not work at all. The farmers and mine owners had to import labour from South Africa to meet their labour needs. Another source of labour were the northern areas, over the so-called "Red Line". The Ovambo and tribes related to them lived here. They had powerful kings and the Germans were afraid to fight them after seeing how difficult it was to defeat the other groups further south. Instead, they left them alone and made treaties with them. It was only later, when South Africa took over control of Namibia, that the Ovambo kings were defeated in a series of bloody wars fought by the Portuguese and the South Africans together.

But even before this, thousands of people from the northern areas were streaming south as contract workers. The German government used bribes and threats to get the Ovambo kings to cooperate in forcing their people to

become contract labourers.

South Africa Takes Over

In 1915, during the second world war, South African troops marched into Namibia. South Africa was fighting with Great Britain against Germany. Everywhere, Namibians rose in revolt, seeing any enemy of their German colonial masters as their friend. South Africa made use of this and promised the Namibian people their "old freedom and wealth". The people soon found out the new rulers did not intend to keep their promises. The world war ended in 1918, and the winning nations decided to give Namibia to South Africa to administer as if it were a part of South Africa. Regular reports had to be sent to the League of Nations, which was set up at the time. South Africa was given a mandate to rule Namibia in the best interests of its people.

In the years that followed, it became clear that South Africa had no intention to do this. Instead of giving the land back to its rightful owners, the South African government gave it back to the German farmers, and to new South African owners.

The development of the gold and diamond mining industry in South Africa itself had brought many changes. Amongst other things, many white people had lost their land to the new, large scale farms. There was lots of land in Namibia, and the South African government was glad to be able to give it to the landless white farmers from South Africa. during these years, a fishing industry was also set up, based mainly at Walvis Bay.

But Namibia's wealth lies mostly under the ground. There are large deposits of valuable minerals: copper, zinc, coal, lead and, most importantly, uranium and diamonds. The mining industry soon became the biggest sector of the Namibian economy. Large multinational companies took over the industry. These companies are based in the big western countries such as the USA, Great Britain and France. They have no long term interest in the country except to make as much profit as quickly as possible, and are ruthlessly exploiting natural resources as well as the Namibian workers. But the current conflict in Namibia is threatening their position. This is why they are interested in a settlement they want

5

to see a Namibia which is independent, but does not threaten their position in the mining industry.

South African Repression

During all these years, the government made sure that conditions were right for the big firms to make as much profit as possible. Pass laws and other measures were introduced to control the workers and make sure employers could always get the workers they need. Resistance to this process was strong, and a number of uprisings took place in the early years. They were all crushed brutally, in some cases air force planes were used to bomb the people into submission.

From the late fifties, a new phase in the history of resistance began with the emergence of national mass based organisations. In 1959, the Ovamboland People's Organisation was started under the leadership of Sam Nujoma. This was later to become Swapo. In the same years the South West African National Union (Swanu) was started, and the two organisations cooperated in resisting the removal of people from Windhoek Old Location to the new township, Katutura. This culminated in the Windhoek massacre, which left 11 dead and 54 wounded.

During these years, Namibia's international position was changing. South Africa had never made a secret of its desire to annex Namibia and turn it into a fifth colony. After the second world war, the United Nations (UN) took over from the old League of Nations. This gave South Africa a good excuse to get rid of the mandate. The government claimed that the UN had no right to take over the League's role and stopped sending reports. There followed a long and complicated legal battle, which ended only in 1971, when the International Court of Justice decided that South Africa had no right to remain in Namibia. Even before that, in 1966, the UN had decided to take back the mandate, and now there could be no doubt at all that South Africa's continued occupation of Namibia was illegal. But South Africa did not accept the decision of the UN and the ruling of the International Court of Justice, and continued to rule the country as before.

In this way, Namibia's position in the world became a special one. No other colony before had such a clear legal right to fight for its independence, and Swapo was able to get

support much more easily from the countries of the world than other liberation movements.

SWAPO by this time had become the most important organisation fighting for the rights of the Namibian people, while the influence of Swanu had declined. It has also been far more difficult for the big western countries with their economic interests in the country, to support the the South African government openly. Nevertheless they have given it support in many secret ways.

It was soon clear that the only way in which Namibia would become independent was by the struggle of the Namibian people themselves. Decisions in international bodies could easily be ignored by South Africa, and it was only the organised, united force of the people which would be able to force South Africa to leave the country.

Resistance Gathers Strength.

In July 1966, Swapo declared its intention of launching an armed struggle, and the first clash between the guerillas of the People's Liberation Army of Namibia (PLAN) and the SADF took place a few weeks later. Since then the war has escalated, costing South Africa increasing amounts of money and the death of many of its soldiers.

At the same time resistance inside Namibia continued to escalate. In 1971, a massive strike by about 22 500 contract workers from the north rocked the country. The workers were sent back to the reserves where their resistance spilt over into a widespread peasant uprising. After many months of violent confrontation the strike was crushed by the use of brutal force, although some concessions were won by the strikers.

In 1976 a wave of resistance spread through the educational system and culminated in a mass strike of Nama teachers in the south. This strike involved thousands of school students as well, who supported their teachers. It led to the establishment of a series of independent schools in the south. To this day, many students who are dissatisfied with Bantu Education stream to the south from all parts of the country to attend school there.

South Africa's Manouevres

There can be no doubt that it is the sustained mass

resistance of the Namibian people that has forced the government to give up the idea of making Namibia South Africa's fifth province. In 1975, it called a conference of "leaders" in Windhoek to discuss the country's future. But these leaders were handpicked by the government for their willingness to do what it wanted. The real leaders were ignored. This became known as the Turnhalle conference. After lengthy deliberations the conference presented its proposal for a constitution firmly based in the old ethnic principle. It was simply a continuation of apartheid in a slightly different form.

It was clear, even to the big western countries that this fooled nobody and could not work, and so they told South Africa that they would not accept it. Instead they set themselves up as mediators, the so-called Western contact group. In the meantime, the "leaders" who had met at the Turnhalle formed themselves into a political party, the DTA. In accepting the Western countries' initiative South Africa hoped it would be possible for the DTA to win an election. But there were other reasons too, for South Africa's willingness to participate in negotiations. The government knew that even if Swapo wins such an election, there are still many things which make Namibia dependent on South Africa. In the last few years South Africa has worked hard to strengthen these ties. For instance, South Africa has insisted that Walvis Bay, the only port is South African territory and will be excluded from the deal. This means that all Namibia's imports and exports will have to go through South African territory, giving the government a powerful hold on the future independent Namibia.

The whole economy is dependent on South African and western investments, which will also restrict the new government's freedom to act as it wants. There are many other problems which will face a democratic government. In this way, the coming of independence will not be the end of the struggle, but the start of a new stage. In this stage, a struggle will have to be waged to turn the paper independence that is being granted into a real independence, in which all its people have a share.

Still, the South African government faces a dilemma. On the one hand, it knows that independence will solve some of its problems. It will no longer have to deal with the resistance of the Namibian people, and it will no longer have to fight a war which is costing millions. Also, it does know that many other forces will continue to protect its

interests in Namibia, and that with the Reagan government in power in America, a powerful ally is controlled by a particularly sympathetic government.

At the same time independence will mean a step forward for the democratic forces in the whole of Southern Africa. Everywhere, people will be celebrating the event, just as they did when Mozambique and Angola and Zimbabwe became independent. At the same time, the growing right wing in South Africa is sure to make capital out of the event, saying that the government sold out the whites of Namibia. Also, there may be many forces still protecting its interests in Namibia, which will make it very difficult for an independence government to act in the interests of the people, but with South Africa's army and police out of the country, it can never be quite sure that things will go the way they want them to.

The Southern African Question

Another fundamental consideration for the South African government is the power it can retain to control the Southern African situation as a whole.

The general motives of the state are clear; it wants to control Southern Africa for economic and political reasons, by economic and political/military means. The importance of the frontline states is twofold. On the one hand they provide important markets for SA goods, and sources of raw materials and migrant labour. On the other hand they could form the military launching pad for opposition to the existing order.

After a number of abortive experiments - the detente policy of 1974 and the constellation of states idea, the SA government seems to have settled on a combined strategy of enforced economic dependence and the threat of military intervention. The role of Namibia here is clear. It has provided supply lines for Unita, who by blowing up the Benguela railway line forces Zambia to rely on South African railways and harbours. Unita also threatens to destabilise the Angolan state. This strategy clearly relies on a sympathetic government in Windhoek, and this South Africa has to consider. The military base in Walvis Bay which SA has vowed to hold might not be sufficient.

Conclusion

It is not quite clear how the government is going to

resolve these dilemmas. They have done their worst to make sure that the negotiations drag on for as long as possible, and it is still not clear whether they intend to let the negotiations succeed in the end. But the people of Namibia have long realised that South Africa will only agree to a settlement if it is forced to, and have continued the struggle while the negotiations go on.

Independence is like a curve in the road of the struggle: it may look like the end, but when you come to it, you see that the road continues in a different direction. After independence, the struggle of the Namibian people will continue, with different tactics and problems. But they will be fighting from a much stronger position than they are in now.

The PC and the Koornhof Bills

AN INTRODUCTION TO A DISCUSSION ON THE PRESIDENT'S COUNCIL PROPOSALS AND THE THREE KOORNHOF BLACK BILLS - A NEW STRATEGY ON THE SAME OLD TACTIC OF DIVIDE AND RULE?

Divide and rule: It would be a mistake to think, just because the new initiatives of the government fell within the old apartheid divide and rule strategy that there is no change - that there are no new issues to understand. This approach leaves one blind to the shifts in state strategy which are important to analyse if they are to be opposed.

Ever since the formation of the Union(1910) divide and rule policy has worked to the extent that the oppressed people, especially the workers, and the poor in the towns and in the rural areas - have been forced to use up all their energies to make a living. They occupy the reserves, locations and group areas which are organised on a racial and tribal basis. The result is that whenever there is any expression of public opinion, any uprising or demonstration, it often appears to take on a racial or tribal form. It is the material circumstances in which people are forced to live that makes this happen. And the state reinforces this through its control over the educational system, propaganda and communications media. This is the one side of the coin.

Even though divide and rule has worked, to a limited extent, an opposite force has been at work at the same time, namely that of liberating people. It is the totality of those forces, which is represented by all democratic organisations in South Africa, the organisations constituting the liberation movement and the struggle against the system. Whereas the system has tried to divide people in every conceivable way, the common experience of the oppressed - whether they are coloured, Indian or African - namely, the experience of hunger, of suffering, of repression over the years and more important the experience of the lack of all rights and the exclusion from all institutions where power is exercised - these experiences have helped to move people in a similar direction of united struggle. Particularly

in the last decade, the liberatory process has been one of the dominant features of the South African political scene. 11

Struggle of Opposites : The System vs. Liberation

The state has continued to pursue its divide and rule strategy over the last two decades. But unquestionably, the elements representing the unification and liberation of the oppressed and in particular, those representing working class unity and leadership, have received such an impetus from internal and external events that the liberation movement has won and is continuing to win significant victories on the ideological, political and psychological planes, in fact on all levels save that of the police and military. What has happened is that the so-called ordinary people, the workers, the poor both in towns and country areas, are beginning to take their destiny into their own hands. For the liberation movement this represents a change in quality in the ranks of the oppressed, in particular the working class. This increase in the level of mass participation and of conflict poses new questions for and challenges the liberatory forces. It raises questions about the exercise of power in the political institutions and economic undertakings and on any other levels. (By liberation movement is meant all those people and organisations struggling to achieve a democratic, non-racial South Africa.)

New Strategy?

There is one constant factor in the South African situation - exploitation and super profit. To achieve and maintain this the ruling classes have to take into account the strength of the progressive forces. Hence divide and rule as a general strategy throughout the decades.

It is in this situation, in which there has been a gigantic development in the liberation movement and progress that the ruling class has had to take steps to reverse the tide of the liberatory process in South Africa.

Our purpose is not to go into a whole discussion of ruling class strategy since 1910 - our main purpose at this stage is to make the point that, whilst exploitation of the people and super profit remain operative and whilst cheap labour is still the basic, crucial requirement of the South African system, the ruling classes assess that the liberation movement is posing a serious threat to the continued existence of the cheap labour system and capitalist exploitation. Hence the need for a change in strategy. Major

elements of previous strategies continue to be central e.g. Bantustan, Group Areas, Security Police terror, harassment of individuals and people's organisations, including trade unions - but the new elements and the intensification of the old elements are significant. These amongst others are the increasing role of dictatorial method, the all-pervading presence of the army, the greater repression - and very important - the cooption onto the side of the rulers of various layers from the ranks of the oppressed.

Basic Aims

By this strategy the ruling classes hope to maintain and strengthen the basic capitalist exploitative system, strengthen elements which maintain division amongst the oppressed and smash progressive organisations. That is why we say that the new strategies of the ruling class are designed amongst other things, to reverse the tide of the liberatory process in South Africa.

This is not an academic matter or a matter for armchair theorists. At stake is the whole future of the oppressed and the working class in particular. An incorrect assessment of the ruling class strategy can play havoc in the ranks of the oppressed, create division in their ranks and undermine their strength. A correct assessment of the ruling class strategy is essential to enable the oppressed to work out their response to the new situation and avoid divisions amongst themselves.

The President's Council Constitutional Proposals and the Koornhof Bills

Some people in the ranks of the oppressed have mistakenly made the P.C. proposals the major focus of the struggle and seen these proposals in isolation. This could lead to an essentially "coloured" and "Indian" response, even if this was not the intention. The government of course presented the proposals bit by bit - as part of the divide and rule strategy - even if fully aware of the overall plan. We must be careful not to respond in piecemeal fashion.

The government constitutional plans, the Bantustan policy form a central part of the government's "total strategy". It is in this light that the Koornhof Bills and the P.C. proposals must be examined. We propose at this stage to examine some of their main features.

1. Bantustan strategy

A key element of the government policy is the creation of bantustans - "black national states" in South Africa, each supposedly representing a particular ethnic group. In this way the material and geographical basis for the unity of the African section of the oppressed is being destroyed, Africans are retribalized. On the national level, the other side of the bantustan strategy is the existence of the Population Registration Act and the division of South Africa's population into ethnic groups of all kinds, which is part of the governments "plural society" concept.

The concept of a "plural" society consisting of different groups with different interests which cannot be met within a common society, is only one of the many theories which the government has formulated to rationalize its policy of divide and rule. So too with its idea of a "consociational" government which would maintain "peace and stability". The philosophy is not independent from the design. The design is to maintain the status quo and to create division. So the hoped-for results feed the philosophy and the philosophy feeds the results.

The basic feature of the PC proposals is an acceptance of the idea of pluralism and consociation. It is also no accident that the P.C. proposals. It is also no accident that the P.C. proposals accept what it calls "multiple partition", that is the creation of bantustans. It is also no accident that the position of so-called "urban blacks" is not dealt with. It was of course known to those who made the plan that the Koornhof Bills would deal with them.

Here we may stress that the hoped for division would be on two levels: (a) between Africans in the reserves on the one hand, and Africans who have residential rights; and (b) between Africans on the one hand and coloured and Indian on the other.

2. For Coloured and Indian?

The P.C. proposals purport to give rights to coloureds and Indians on two levels: (a) at local, and (b) at national levels. The P.C. proposals speak with approval of management committees, local affairs committees and community councils. They provide for what it calls increased powers for these bodies so as to give them credibility. The proposals also make provision for a system of voting for local councils - but it is to be noted that not only are the

voting rights restricted but they are heavily loaded and qualified in such a way that only an elitist group would inevitably represent local communities.

On a national level the proposals provide for a separate parliament for coloureds and another for Indians. Each group would discuss legislative and other measures affecting its "own" group, and make recommendations in connection therewith. Measures affecting everybody are to be dealt with by the President and his executive. It is quite clear that these proposals are hollow and will not in any way extend rights to the majority of the people.

3. Government: Dictatorship

The control of the government and the actual exercise of power would be in the hands of a strong executive president who will appoint a committee to assist him. Such executive would not be responsible to any government. He will appoint its members and dismiss them at his own discretion. Here too is a change in the strategy of the ruling class. Whereas before the strategy has been to exercise power amongst others through a white parliament, now it would be through the President and his executive.

In terms of the proposal, the P.C. would also be retained and would act in an advisory capacity, in such matters as may be referred to it by the President. Thus all power would be vested in the President and he would be assisted by a hand-picked executive. If these are not dictatorship proposals, then we would like to know what are?

4. The Role of the Elite - Creation of "Grand Alliance"

Another feature of the P.C. proposals that represents a change in strategy is the attempt to create elitist groups to form buffers and to collaborate with the ruling class. The P.C. proposals state quite crudely that these elite groups must be formed in all ethnic groups and form a "grand alliance" with the ruling class. The strategies envisaged by the P.C. proposals in this regard are two-fold.

- a) to coopt coloured and Indians onto the side of the whites and thus smash unity between Africans, coloureds and Indians.
- b) Combined with the Bantustan strategy the PC proposals aim to create an elite group in every single so-called ethnic group, whether such ethnic group is "coloured", "Indian" or African ("Zulu", "Venda" etc.) In the Bantustans there would be a layer of better-off people in

government employ, filling the bureaucracy and conducting business and possibly allied with a professional layer of teachers, lawyers, doctors etc. In urban locations there would be another layer of elite drawn from the permanent urban residents. (We do not suggest that everybody falling into this category would be prepared to fulfill this dirty role, what we are saying is that this is the design.)

There is also the attempt to create elitist groups on the coloured and Indian levels, as we have already seen. They would conduct business, they would be freed from Group Areas limitations and would be given all sorts of rights which "ordinary people" would not have. Effectively they would become "honorary whites".

5. Other main features of the President's Council Proposals

- a) The P.C. accepts the existence of group areas and says that they should be maintained.
- b) They accept the Population Registration Act and the division of people according to this law.
- c) The proposals emphasise the need for strong government to enable it to deal with forces which threaten the existence of the system. This obviously refers to the liberation movement in general, democratic organisation like trade unions in particular.

6. The three Koornhof Bills

These three Bills have received a great deal of publicity. They are : the Black Communities Development Bill, The Orderly Movement and Settlement of Black Persons Bill, and Th Black Local Authorities Act.

We have to study these bills in greater detail all the time but we will restrict ourselves at this stage to giving what we consider to be the main features.

a) The bills pretend that they extend rights to all Africans. In fact these would not be rights at all, but privileges or rewards. The bills try to create elite groups in urban areas using mainly the following means:

- i) The denial of South African citizenship to the majority of the people, using the creation of bantustans. In this way the government has created the outrageous situation in which the majority of people who live in South Africa are not S.A. citizens. Some are citizens of Venda or Transkei even though they have always lived in Cape Town or Durban, for example.

ii) The Bills aim to divide Permanent Urban Residents (PUR) from other Africans in the urban areas. The category PUR would constitute a very small proportion of the total African population in the urban areas and it is to these so-called permanent urban residents that the government extends certain privileges.

We wish to say about the Black Community Development Bill and the Black Local Authorities Act that whatever so-called privileges are extended to Africans in urban areas in terms of these Bills are totally restricted to the small category called permanent urban residents. In passing, we would say that the significant feature of the Black Community Development Bill is that it enables the government to extend leasehold rights to land (for 99 years) in urban locations. The Black Local Authorities Act makes provision for so-called local self-government through local community councils. This means that the vast majority of Africans living in urban areas will enjoy no rights. It can be seen therefore, that one of the main strategic aims of the Botha regime is to create an elite on which it hopes to be able to call to support its policy and help to suppress the rest of the African population both in the reserves and urban areas.

The Orderly Movement and Settlement of Black Persons Bill

Let us turn to the main thrust of the attack on the masses of workers in all urban and rural areas of South Africa. This Bill is possibly one of the most vicious pieces of legislation to come from the South African parliament. It has deliberately been framed in a misleading way.

The Bill is divided into 6 chapters dealing with urban areas, rural areas, provisions relating to powers of officials and inspectors, to court procedure and various general provisions. A tactic used in the Bill is to create the impression in the body of the Bill that rights are being extended to many people and through the use of exclusions in the definition clause in fact very few people are included. Once again we will deal only with the main features of the Bill.

I. Let us first look at the existing situation. Insofar as Africans living in South Africa are concerned, their rights of entry and residence in urban areas are governed by the Urban Areas Act No. 25 of 1945. In terms of Section 10 of this Act, an African person - male or female - may not remain in a prescribed area for more than 72 hours unless he or she

- a) has resided there continuously since birth;
- b) has lawfully resided in such area continuously for a period not less than 10 years;
- c) is/was the wife of a person who qualifies and is ordinarily resident with such qualified person.

All other people are liable to be arrested, jailed, endorsed out if they remain in a prescribed area for more than 72 hours without permission. In most cases, of course, permission is very hard come by. However the significant thing from our point of view at this stage is

- a) that some people were able to obtain Section 10 rights;
- b) that in the last couple of years the Supreme Court has upheld the rights of women "ordinarily resident" with their husbands who had Section 10 rights also to get Section 10 rights and also ruled in favour of contract workers. The Supreme Court held that contract workers could also qualify to for Section 10 rights if they could prove that they had worked continuously for one employed for 10 years.
- c) It also meant that an African was entitled to enter an urban area such as Cape Town and remain there for up to 72 hours without having to report. Of course he would have to report within the 72 hours or leave the urban area in that time.

We are not suggesting that these were wonderful rights. We are stressing these points because an important feature of these new Koornhof Bills is that they put an end even to these rights.

Section 3 of the Koornhof Bill takes the place of the old Section 10. If the old Section 10 was vicious in that Africans were harrassed and had to report their presence in an urban area within 72 hours, Section 3 is totally outrageous.

II According to this Bill, no African shall be entitled to remain in an urban area unless he is authorised and unless he has approved accomodation. This means that even if you are authorized and do not have approved accomodation you do not have the right to remain in an urban area. Again, approved accomodation does not mean in any accomodation which is acceptable to you. It means accomodation approved by the authorities. (BAAB officials)

Who is authorised?

It is clear that most Africans, indeed the vast majority would fall into the category of unauthorised persons. the few who are authorised will constitute the following:

- a) a category called permanent urban residents;
- b) dependents living with them; and
- c) others who have been granted temporary authority which could be withdrawn at any time, or which would terminate on a specific date. In the last category would fall contract workers, patients in hospitals, guests in hotels and persons authorised to carry on business in an urban area.

Curfew

So far we have said that only authorised persons may remain in urban areas. The purpose was to emphasise the difference between authorized and unauthorized persons and in the category of authorized person, the difference between permanent urban residents and others. The Bill goes much further. It not only imposes a curfew but it makes it virtually a crime for an "unauthorized" person to be anywhere in the R.S.A. between the hours 10 p.m. and 5 a.m.

Section 3 makes an exception in the case of a "commuter" who is allowed to remain in an urban area if he is lawfully working in an area or if passing through the area in recognised transport in order to take him to his "homeland" to sleep.

In terms of this section the ridiculous situation has been created that if your mother arrives from another area on any day, unless she leaves the area before 10 p.m. she would be committing an offense. If you allow your mother to stay with you then both you and your mother would be committing an offence and each would liable to a fine of R500. Needless to say, you will also be breaking one of the conditions of tenancy.

Furthermore, in terms of this Bill your mother may not visit you for more than 14 days in any year (that is if she can obtain permission in the first place.) It would be seen therefore that the Bill creates divisions between Africans on a number of levels.

- a) between authorised and unauthorized persons;
- b) creates a category of commuters, who are unauthorized persons;
- c) creates a category of permanent urban residents; and
- d) divides South African citizens from citizens of "homelands".

19

These restrictions on the free movement of people within urban areas will have the effect of increasing people's fear of being arrested. They will make it more and more difficult for the organisations of the oppressed to operate. Meetings which are normally held at night will have to over long before 10 p.m. so that people can get home before the curfew.

Perhaps it is important to ask the question who can become a permanent urban resident? Looking at the Bill it is not easy to give a categorical reply to that question. But what is quite clear is that this group would be a very small group indeed and would be limited to the following persons-

- (1) persons who presently enjoy Section 10 rights would be permitted to become permanent urban residents;
- (2) their dependents;
- (3) in terms of Section 6 a black who is a South African citizen and who has been legally resident in an urban area for a period not less than 10 years may apply to be recognized a PUR.

This means that no more people would as of right qualify as they did under Section 10. If a person has been resident for a period of at least 10 years in an urban area and he is a South African citizen he "may apply". This does not mean that his application will be granted because in terms of Section 6 an officer who is called a "designated officer" will have the right either to grant or refuse the application. Other provisions of the Bill are:

- a) In terms of Section 8 only authorised persons may seek work. Any other person seeking work would be committing an offence and liable to a fine of up to R500. Any person giving work to an unauthorized person would be liable to a fine of up to R5000.
- b) Any person giving accommodation to an unauthorized person would be committing an offence and liable to a fine of up to R500.
- c) Similar provisions are created with regard to rural areas but in this regard the relevant section is Section 15.

Squatters

a) The Bill creates a section (Section 31) which gives the authorities vast powers to deal with squatters and "eliminate" them from areas of squatting.

b) Sections 33 to 42 extend vast powers to "designated officers" and inspectors. Every person who is authorized to be in an urban area would be issued with a "certificate". Officials would have the right to demand sight of these

certificates at any time.

c) The Bill also provides for the creation of "aid centres". At present "aid centres" do exist in urban areas but it is a procedure adopted by the authorities to prevent charging people in open court. The "aid centres" are used virtually as venues for "secret trials". During the time of the raids on squatters at Nyanga and Crossroads just over a year ago, many people were "tried" at "aid centres" without the knowledge of legal representatives or relatives. They were then herded into buses and taken to the Transkei and other areas. It seems that in terms of this Bill this kind of procedure will be encouraged. It will therefore be no accident to find that persons charged under this Bill would face secret trial.

In terms of the Bill, the power of courts is removed in certain instances. If an order is made for the removal of a person from an urban area and he is so removed, no court of law can grant an interdict or rule on the validity of such a removal order. This means that even if a person in his opinion is being unlawfully removed, he cannot go to the Supreme court for assistance as he is able to do at certain levels at present.

Of course, a similar law, the Black Prohibition of Interdicts Act already prevents Africans from applying to court for an interdict to prevent their removal in certain other instances. It seems that this provision is now being extended in the present Bill to other situations as well.

These are but some of the provisions of the Orderly Movement and Settlement of Black Persons Bill. It is quite clear that in totality it amounts to nothing less than the total regimentation and harrassment of the lives of every single African person in South Africa.

It is to be noted that the Black Communities Development Bill, the Orderly Movement and Settlement of Black Persons Bill are not yet law. They were referred to a Select Committee and the government has apparently now converted the select committee into a "commission" which will go into these Bills and eventually come up with the final proposals, not only of the government but with the active approval and cooperation of the Opposition.

The Response of the Oppressed

We have not gone into great detail with regard to either the P.C. proposals, the government's constitutional proposals, its plans for economic decentralization. Nor have we gone into details of the three Koornhof Bills. On another occasion one will have to do so. It is imperative that every single person interested in the democratic struggle in this country must acquaint himself with the contents of these laws and the basic ruling class strategy contained therein. We are not suggesting that we have said the last word insofar as the strategies are concerned. We are certain that we have raised matters which are controversial and many people may disagree with us. Certainly what is important is that we will have to discuss them and work out the response of the oppressed people - not in theoretical terms but in practical day-to-day terms as part of day-to-day struggle.

Inasmuch as the basic ruling class strategy of divide and rule has received a new dimension and inasmuch as we can say that there is now a qualitative change in ruling class strategy, there is need for an overall response on the part of the oppressed people and all progressive organisations so as to ensure that the liberatory process is not placed into reverse gear but indeed is able to flourish in spite of the new ruling class strategies.

The Trade Union Unity Question

A Brief History

Last year at Langa, Cape Town, all the major trade unions organising black workers met to discuss the issues facing the independent labour movement. This conference was heralded as a historic event and was seen as laying the foundations for a unified labour movement representing the majority of organised black workers. Although the resolutions passed at the conference had no binding effect, and were also broad enough to allow for differing interpretations, they were deemed sufficient to establish a basis for further talks on the question of a trade union alliance.

The resolutions recommended: the rejection of government interference in union policy, membership or administrative; the rejection of industrial councils as a method of collective bargaining; the establishment of regional solidarity committees representing all union groups. These solidarity committees were in fact instituted and operated as a qualified success.

In little more than a year the high hopes of a broad trade union alliance have been nearly sunk. When the unity talks resumed in April this year at Wilgespruit, Johannesburg, emphasis was placed on the divisions between the unions rather than in seeking common ground. At this meeting Macwusa (1) stated that it would not ally with any unions that were registered or were members of industrial councils, (eg some of the Fosatu and Cusa unions). Macwusa walked out of the conference calling on other unregistered unions to do the same. Food and Canning's general secretary, Theron appealed to Macwusa to stay and pointed out that the large trade union federation of the 50's, Sactu, was made up of both registered and unregistered unions. It was argued that in Sactu, despite the blatant racist registration provisions of the law, trade union unity was too important to be risked on this strongly contested issue.

The Macwusa delegation however, felt bound by the mandate given to it before the conference and left the meeting alone. Before the next summit meeting of trade unions in Port

Elizabeth the other unregistered unions stressed to Macwusa the importance of attending. They argued that there was sufficient basis in the Langa resolutions for an alliance between all unions.

However, at the third and final summit meeting in Port Elizabeth the unity talks collapsed with the unions concluding that there was no basis for further unity meetings to be planned at this stage.

The breakdown of the talks cannot simply be blamed on Macwusa however. The differences between the unions which have now emerged had been present for some time. These differences stem from conflicting approaches to the organisation of workers. We will come to these later, but first we must ask, why unity?

The Need for Trade Union Unity

The most basic argument in favour of trade union unity is that of the need for the independent labour movement to strengthen itself against the attempts of both the state and the bosses to divide it. Let us look at this in more detail.

The State: It is unquestionable that a divided labour movement is weaker and more vulnerable to state repression. Where unions are hostile to each other they stand isolated and can be harassed at will. Harassment may come in various forms - bannings and detentions of union officials and members; state coordinated attacks against the union; raiding of the union offices and interference in the administration of the union; outlawing of the union and police harassment at strikes. The harassment of Saawu, Food and Canning and GWU officials in East London is one current example. This must be a major consideration in South Africa where there is a long history of attacks on unions.

When the unions stand together, the simple slogan "an injury to one is an injury to all" stands as a warning to the state that arbitrary action against one union may result in a confrontation with the labour movement as a whole.

The other aspect of the same argument is that a unified labour movement gives workers a more coherent voice. A strong and democratic alliance is better able to advance and press home demands on the state than squabbling and divided individual unions. An example can be found in 1980 when the state

was attempting to coax unions into registering. Some unions pointed out that if only certain unions registered, they may unwittingly split the labour movement. This would leave those unions who refused to register exposed and vulnerable to retaliation from both bosses and the state. By standing firm and united, unions were able to resist registration and forced the bosses to deal with unregistered unions despite the pressure by the Department of Manpower on the bosses not to deal with unions who did not register.

The Bosses: If the unions gain from unity in the face of state hostility - this is even more so with the bosses. The strategy of divide and rule is particularly effective when used against a divided work force.

In some cases differences between unions have resulted in competition for members and influence. When unions compete against each other they undermine each other's strength. The power of organisation and unity - workers' only weapons. Often competing unions come to see victories over sister unions as more important than victories over management, they might ally themselves with management, or perhaps try to gain benefits from a rival union's defeat by management.

In recent months we have seen examples of unions organising in the same industry refusing to support each other in strike action which, if successful, would benefit all workers in that industry. There have also been examples where competing unions try to use management to strengthen their position in the factory.

On a more positive level, unions gain greatly from support from fellow unions, particularly when engaged in a struggle with obstinate management or when involved in a strike. That support may be in the form of preventing strike breakers or scabs; winning support for consumer boycott; blacking a management product; solidarity pressure on their own bosses; financial or moral support; winning broad sympathy for the strikers in the community and the press etc. Solid cooperation has brought victory to workers in cases where unions in other industries threatened to stage sympathy strikes.

When unions fail to support each other actively it is difficult to establish in the minds of the members the basic principles that workers are indivisible, that unity is their best weapon; and that an injury to one is an injury to

all.

Competition does not only affect relationships between unions. It also affects the internal workings of a particular union, and the nature of that union. So that where unions compete with each other instead of cooperating, the effects of such an attitude are stamped onto the day-to-day workings of the trade union.

How Competition Harms Worker Organisation

We must now ask how it has come about that trade unions whose very reason for existence is the protection and advancement of the interests of workers, stand divided against the bosses and the state.

The problem lies with the way different unions understand the workers struggle. Clearly workers are exploited, and the struggle against exploitation demands that workers organise in order to defend themselves against their exploiters, the bosses. We must remember however, that the exploitation of workers by bosses depends on a certain political system. The powerful position of the bosses is the result of their political power. It is the state which is ultimately responsible for protecting the power of the bosses and controlling the workers. This means that the struggle of the workers against their exploitation involves not only a struggle against the bosses for higher wages etc, but also a struggle against the state for political power.

Trade unions, like women's students' and community organisations, are designed to perform specific tasks, namely to protect the interests of workers at their place of employment. Although their work is political, none of these organisations are political ones, capable of waging a national political struggle.

The problem lies in finding the balance between the need to focus on the specific problems of workers at their places of employment, and the need to contribute to the struggle for political power.

Most unions believe that the political and economic aspects of the struggle cannot be separated. Even after accepting this there are two extreme positions which can be adopted. On the one hand this can be interpreted to mean that an economic struggle against the bosses is in fact political and there is no need to support other political struggles. On the

other hand the political struggle against the state can be seen as the only way to advance worker interests and that therefore the union should be a political organisation and not devote too much time to factory organisation. Most unions fall into neither of these two extreme positions, but some do tend in one direction and some in the other direction.

Both extreme approaches are inadequate. What needs to be established is a balanced perspective which appreciates the importance of strong democratic shop floor structures, and the importance of supporting broader political initiatives.

Many inter-union (and intra-union) struggles are felt in the factory so that the workers themselves become divided against each other. Besides causing factory floor organisation to collapse such conflicts are demoralising to the workers. Where workers are exposed to squabbles which seem petty or which are not explained to them, they may lose faith in any kind of unionism. Union rivalry is more a characteristic of the leadership than the rank and file workers who will usually identify with other struggling workers - whatever union they belong to. The attitude that boosting membership is a union's most important aim is a tendency of those unions who see their union as an end in itself.

When unions see their competitors as rivals in a recruitment race, proper organisation, education and the establishment of effective grassroots democratic structures are sacrificed for numbers. Over and above the negative effects of poaching (attempting to recruit from another union or another union's sector of strength), the emphasis on recruitment can lead to undisciplined organisers using fraudulent sales techniques i.e. making unrealistic promises, or pretending to be organisers from rival unions.

Another worrying side effect of a divided working class, is that some unionists in rejecting another union, also reject the workers who make up that union. This is not progressive at all. Whenever there is a mass black worker membership of an organisation, a person who takes the workers' struggle seriously must always consider working with these workers, and attempt to open up access to them, even if it means entering a conservative union.

Competition does not only affect recruiting practices, but also the on-going organisation of the union. Because of over-emphasis on getting new members, the resources of the union are directed towards recruitment rather than building

organisation. Instead of developing sound factory floor leadership and democratic structures through which the membership can participate and control the union - these unions may come to rely on solely on mass rallies. Attendance at rallies then becomes a substitute for organisation rather than a supplement to it.

Instead of developing worker leadership through participation and control of the union, such unions may abandon the workers once they have been recruited. Instead of planning the development of the unions according to an assessment of potential strengths and resources, unions can develop in an unplanned way, recruiting whenever there is a strike. In this way the strength of the union comes to be built on very shaky foundations. Once the honeymoon is over, and the workers have to face the tests of organisation, including a showdown with the bosses they may find that promises made in the union cannot be met. If this happens, the resulting hostility will be directed not only against their union, but against all unions. Bad organisation amounts to disorganising workers. Once workers in a particular factory have been let down by a union, they will not join and support unions again for a long time.

A further aspect of this emphasis on recruitment is that, where there is an absence of proper grassroots organisations, there is also an absence of democratic control by the rank and file over the union officials. When the officials argue amongst themselves - in the absence of a controlling membership - there is likely to be a split into two unions. In this way, the problems listed above are doubled. If unions are to avoid these destructive tendencies, unionists and union members must be prepared to make sacrifices and even compromise the short-term interests of the particular union in the interests of the long-term goal of a powerful and organised working class.

Independent Worker Organisation

Competition and division threatens the independence of the trade union movement as a whole. If the union movement representing the majority of organised black workers is made up of warring factions, it opens itself up to manipulation by the various imperialist countries and organisations. These organisations and countries play out their own rivalry by encouraging and backing their own factions. In many cases

this can further divide and weaken the the union movement. Weak unions may believe that they can strengthen their position by accepting and eventually becoming dependent on foreign charity. Furthermore, in this situation, officials may come to hold excessive power by virtue of their individual access to these agencies and their funds.

It is an important goal of unions that they develop self-sufficiency in resources and skills. One of the positive aspects of a cooperative union alliance is the pooling of information, ideas and experience between unions. Conflicts between unions are likely to prevent this positive process from taking place.

Finally, the bitterness now emerging in the independent trade union movement sometimes leads to racist slurs between union leaders. This can only harm the principle of non-racial organisation.

Problems Facing a Union Alliance

Having outlined above a critique of union competition, it cannot be denied that there are real factors that inhibit an alliance of independent unions.

Firstly, an alliance of unions must be objectively grounded in the current state and nature of working class organisation. Grand structures imposed on unformed embryonic organisations can swamp and stifle the development of these organisations. The form of the organisation should develop democratically from the organic needs of organisation. In South Africa we see how complaints services crystallised into general unions once workers realised the need for coordination with other factories. We also see that the tendency to establish industrial unions, meant that the general union now saw the need to develop national strength against all the bosses in an industry. All these developments emerged from the seeds of the organisation once it had reached a particular stage of development and strength.

The same factor applies to a union alliance. Unions must ask themselves whether they are ready for "disciplined unity", or even a loose federation of autonomous unions, or indeed any alliance at all.

One of the basic obstacles to unity which as been cited is the proliferation of general workers' unions. Whereas industrial unions need not necessarily threaten each other

because they operate in different industries, general workers unions are potential competitors to every other union whether general or industrial.

Policy Differences

There is no doubt that the independent unions have many differences in policy and politics. Some of these are differences that are rooted in tactics and organisational biases. There are two broad areas of difference. The first is the question of involvement in community and political issues. The second relates to the approach towards the official industrial bargaining system (registration and industrial councils.)

On the issue of the political involvement of the unions, the difference between the unions is not absolute, but one of the degree and nature of such involvement. Unions cannot and should not distance themselves from the political and community struggles. At the same time, the trade union cannot claim the role of a political party. Between these limits and possibilities, lies an important area of political involvement. The trade union opposition to Ciskei independence was inevitable and necessary. The vast stay-away of workers on the death of Neil Aggett was indeed a show of political strength of the entire independent union movement.

Secondly, an alliance of unions would develop the political muscle of the union movement - not weaken it. An alliance would not necessarily mean that the more political unions would be watered down. On the contrary, it would enable these unions to extend and develop the involvement of the less political unions. It is precisely for this reason that the more factory orientated unions have in the past attempted to avoid an alliance with, or contact with the more political unions. As things stand now, the more political unions are exposed to the state and threatened by the better organised unions. The current divisions may increase hostility from the factory orientated unions to the political unions and their involvement.

Registration: Now that some unions have registered, does this pose an absolute barrier to a cooperative relationship? Firstly, it is important to note that this has not been a bar to a strong alliance in the past. (see the example of Sactu). Secondly, if registration was really a divisive factor,

allowing unregistered unions to outmanoeuvre their fellow unregistered unions, the issue would be more serious. As it stands, registration has brought little or no substantial advantage to the registered or unregistered unions. The bosses are forced to deal with a representative union, it makes little difference whether that union is registered or not.

Thirdly, there is some force in the argument that registration is a less significant criterion by which to judge a union than opportunist practises.

A more substantial issue is that of participation in industrial councils. Such participation is capable of being used to undercut a sister union. The industrial council system in its present form has been criticised by all the independent unions with the exception of Cusa and Naawu. While many unions accept that some form of industry wide bargaining will always exist, this should never be at the expense of factory level negotiation of wages and working conditions. In dealing with this divisive issue, unions should bear in mind that their objective should be to challenge this institution. Perhaps one method of doing so would be to enter an alliance of independent unions. Secondly, unions should not accept the propaganda of the supporters of industrial councils. Sitting in the council does not give any union enough advantage to displace a union with proper worker support.

Conclusion

It appears that a major economic recession has begun. This recession will mean retrenchment of union members on an unprecedented scale. Furthermore, management will be in a position to be provocative and will use strikes to effect dismissals and to get rid of unsold products.

Management is indicating that the novel flirtation with the unions is over. This spells a major test for organised workers. As things stand they face this test divided and only partly organised. If the present level of hostility between the unions continues, there is a danger that these debates could spill over into the community and student forums. This could lead to a further area of hostility

between organised workers and community groups. The advances made in bringing these groups together may well be reversed.

It appears that if progressive unionists fail to prevent the current rift from widening, and that if attempts to find and consolidate middle ground between the independent unions fail, the resulting bitterness will be a burden the union movement will carry for a long time. The ideal of a strong unified non-racial workers' movement will only be a dream of what might have been.

IMPORTANT NOTICE

Please consider, or persuade friends to take out Supporter Subscriptions to Social Review. Just send R30,00 and mailing instructions and you will receive eight issues of Social Review and whatever other publications are put out by the Social Research Agency during that period. Our address is, 3 Hare St

Mowbray
7700
South Africa

Collection Number: AK2117

DELMAS TREASON TRIAL 1985 - 1989

PUBLISHER:

Publisher: **Historical Papers, University of the Witwatersrand**

Location: **Johannesburg**

©2012

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of the collection records and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of a private collection deposited with Historical Papers at The University of the Witwatersrand.